

REMARKS

The Applicant wishes to thank the Examiner for thoroughly reviewing and considering the pending application. The Official Action dated July 14, 2005 has been received and carefully reviewed. Claims 1, 9, and 12 have been amended. Claim 14 has been canceled. Accordingly, claims 1-13 are currently pending. Reexamination and reconsideration are respectfully requested.

The Office Action rejected claims 1, 2, 4, and 6-8 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,161,314 to *Souza* (hereinafter “*Souza*”). The Applicant respectfully traverses this rejection.

As required in Chapter 2131 of the M.P.E.P., in order to anticipate a claim under 35 U.S.C. §102, “the reference must teach every element of the claim.” The Applicant respectfully submits that *Souza* does not teach every element recited in claims 1, 2, 4, and 6-8. Thus, *Souza* cannot anticipate these claims. More specifically, claim 1 recites a laundry dryer which comprises, among other features, a microcomputer for controlling a driver associated with an exhaust fan where “the exhaust fan driver operates during the cooling procedure.” The Applicant submits that *Souza* does not disclose this feature. As such, the Applicant respectfully submits that claim 1 is patentable over *Souza* and requests that the rejection be withdrawn. Likewise, claims 2, 4, and 6-8, which depend from claim 1, are also patentable for at least the same reasons.

The Applicant notes that the Examiner’s rejection of claims 1, 2, 4, and 6-8 under 35 U.S.C. § 102(b) only states: “[c]laims 1, 2, 4, and 6-8 are rejected under 35 U.S.C. § 102(b) as being clearly anticipated by *Souza* (US 5,161,314).” The Applicant has thoroughly reviewed *Souza* and after doing so, the Applicant found no teaching or suggestion, expressed or implied, in *Souza* of a laundry dryer which comprises, among other features, a microcomputer for

controlling a driver associated with an exhaust fan where “the exhaust fan driver operates during the cooling procedure.” Thus, if the Examiner maintains his rejection of claims 1, 2, 4, and 6-8 in view of *Souza*, the Applicant respectfully requests that the Examiner identify the column and line numbers where he believes these specific features are taught.

The Office Action also rejected claims 9, 11, 12, and 14 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,199,300 to *Heater et al.* (hereinafter “*Heater*”). The Applicant traverses the rejection. As noted above, the Applicant canceled claim 14, thereby rendering the rejection of this claim moot.

Regarding claims 9, 11, and 12, *Heater* does not disclose all the elements of claim 9. Therefore, *Heater* cannot anticipate this claim. More specifically, claim 9 has been amended to recite a method of controlling a laundry dryer, comprising, among other features, “driving an exhaust fan during the cooling procedure.” *Heater* does not disclose driving an exhaust fan during a cooling procedure. Thus, the Applicant submits that claim 9 is patentable over *Heater* and requests that the rejection be withdrawn. Similarly, claims 11 and 12, which depend from claim 9, are also patentable.

In addition, the Office Action rejected claims 3 and 5 under 35 U.S.C. § 103(a) as being unpatentable over *Souza* in view of U.S. Patent No. 5,245,764 to *Sung* (hereinafter “*Sung*”). The Applicant respectfully traverses the rejection.

As required in Chapter 2143.03 of the M.P.E.P., in order to “establish *prima facie* obviousness of the claimed invention, all the limitations must be taught or suggested by the prior art.” The Applicants respectfully submit that neither *Souza* nor *Sung*, either singularly or in combination, disclose or suggest each and every element recited in claims 3 and 5. As outlined above with respect to claim 1, the base claim from which claims 3 and 5 depend, *Souza* does not disclose all the limitations recited therein. *Sung* fails to overcome the shortcomings of *Souza*,

namely a laundry dryer having a microcomputer for controlling a driver associated with an exhaust fan where “the exhaust fan driver operates during the cooling procedure.” As such, the Applicant submits that claims 3 and 5 are patentable over *Souza* in view of *Sung* and requests that the rejection be withdrawn.

Furthermore, the Office Action rejected claims 10 and 13 under 35 U.S.C. § 103(a) as being unpatentable over *Heater* in view of *Sung*. The Applicant traverses the rejection. As mentioned above, *Heater* does not disclose all the features recited in claim 9, the base claim from which claims 10 and 13 depend. In addition, *Sung* does not address the shortcomings of *Heater*, namely a method of controlling a laundry dryer which includes driving an exhaust fan during a cooling procedure. Therefore, neither of the cited references, either singularly or in combination, disclose or suggest all the features recited in claims 10 and 13 and the Applicant requests that the rejection be withdrawn.

The Office Action also rejected claims 1-14 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-11 of U.S. Patent No. 6,775,923 (hereinafter “the ‘923 patent”). The Applicant has canceled claim 14, thereby rendering the rejection of this claim moot. Regarding claims 1-8, these claims are not obvious in view of claims 1-11 of the ‘923 patent. More specifically, as previously discussed, claim 1 recites a laundry dryer which comprises, among other features, a microcomputer for controlling a driver associated with an exhaust fan where “the exhaust fan driver operates during the cooling procedure.” The Applicant submits that the ‘923 patent does not disclose this feature. Accordingly, claim 1 is, as are claims 2-8, not obvious over and is therefore patentable over claims 1-11 of the ‘923 patent.

Regarding claim 9, the Applicant has amended claim 9 as noted above and submits that, as amended, claim 9 is not obvious over and, therefore, patentable, over claims 1-11 of the

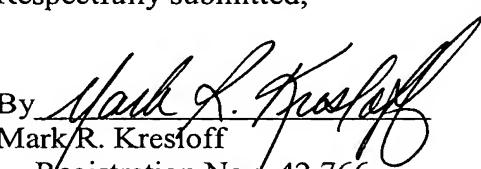
‘923 patent. Likewise, claims 10-13 which depend from claim 9, are also patentable over claims 1-11 of the ‘923 patent.

The application is in a condition for allowance and favorable action is respectfully solicited. If for any reason the Examiner believes a conversation with the Applicant's representative would facilitate the prosecution of this application, the Examiner is encouraged to contact the undersigned attorney at (202) 496-7500. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

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Respectfully submitted,

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